



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

PFE ORIGINAL

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

MAY 12 2014

Insituform Technologies, Inc.  
919 Stanton Road  
Olyphant, PA 18447

**Re: Failure to Properly Respond to Letter Requiring Submission of Information**  
**Insituform Technologies, Inc.**  
**SPCC Case Number: TBD-PA-2014-00014**

Dear Sir/Madame:

The purpose of this letter is to follow up on your facility's response to EPA's January 23, 2014 Information Request Letter. On February 27, 2014, EPA received a response to such letter. However, that response is inadequate for the following reasons:

1. The facility failed to respond completely to questions #6 and #7 of the Request for Information Letter. Specifically, your facility failed to provide the total storage capacities at the facility for its portable resin tank(s), as well as the Material Safety Data Sheet (MSDS) for such product.
2. The facility failed to certify the information provided by not including the facility representative's name, title and telephone number.

You or your company must provide a complete response within **ten (10) calendar days** of your receipt of this letter. This ten day period, however, is not to be construed as an extension of the original deadline, and does not excuse any violation for failure to respond to the initial letter.

**NOTICE OF POTENTIAL ENFORCEMENT ACTION**

EPA hereby advises you or your company that your failure to respond fully and truthfully to each question, or to justify adequately your failure to respond, may subject you or your company to an enforcement action by EPA, pursuant to Section 309(g) of the CWA, 33 U.S.C. § 1319(g). This section authorizes EPA to issue an order directing compliance with an information request made under the statute "after such notice and opportunity for consultation as is reasonably appropriate under the circumstances." This letter constitutes such notice.

In addition, Section 309(d) of the CWA, 33 U.S.C. § 1319(d), allows EPA to seek

judicial enforcement of an information request and authorizes the Federal district courts to assess a civil penalty not to exceed \$37,500 for each day of non-compliance. In recent decisions, courts have assessed significant penalties against parties, which had not complied with EPA information requests.


All documents and information should be submitted to:

**U.S. ENVIRONMENTAL PROTECTION AGENCY  
REGION III, ARLIN GALARZA-HERNANDEZ  
OIL AND PREVENTION BRANCH (3HS61)  
1650 ARCH STREET  
PHILADELPHIA, PA 19103-2029**

Be advised that the provision of false, fictitious or fraudulent statements or representations may subject you to criminal sanctions under 18 U.S.C. § 1001.

If you have any questions concerning this matter, please contact Arlín Galarza-Hernández at (215) 814-3223.

Sincerely,

  
for Alizabeth Olhasso, Acting Associate Division Director  
Office of Enforcement  
Hazardous Site Cleanup Division